

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THIS DOCUMENT RELATES TO
ALL ACTIONS

PROOF OF MAILING

I, Evan J. Smith, Esquire, am over the age of eighteen and on this 28th day of December, 2006, I certify that I have filed the attached Notice of Motion to preliminarily approve a class action settlement, Memorandum of Law, Declaration of Evan J. Smith, Esquire, Declaration of Larry D. Drury, Esquire, Declaration of Thomas M. Mullaney and this Proof of Mailing with all attachments thereto via SDNY ecf filing in the above captioned action and sent a true and correct copy of these papers via first class regular mail postage pre-paid to the following individuals:

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Dated: January 4, 2007

/s/ Evan J. Smith, Esquire (ES3254)
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